

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

IN RE NATIONAL PRESCRIPTION  
OPIATE LITIGATION

THIS DOCUMENT RELATES TO:

Case No. 17-md-2804

Judge Dan Aaron Polster

**STIPULATION AND PROPOSED ORDER  
REGARDING WASHINGTON SUBDIVISIONS' COMPLIANCE WITH CASE  
MANAGEMENT ORDER DKT. 3795**

WHEREAS, on July 23, 2021, pursuant to the Case Management Order Applicable to Cases of “Non-Participating Subdivisions” Asserting Claims Against Settling Defendants (Doc. # 3795) (hereinafter “CMO”), the Court set forth various requirements for Non-Participating Subdivisions to comply with if they were not a Participating Subdivision to the national settlements proposed by Defendants McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Corporation (collectively, “Settling Distributors”), and Johnson & Johnson (“J&J”);

WHEREAS, on April 15, 2022, this Court extended the time for the Washington State Subdivision Plaintiffs to comply with these requirements (Doc. # 4358) pursuant to a stipulation between the Washington State Subdivision Plaintiffs and the Settling Distributors, a stipulation J&J did not oppose;

WHEREAS, on June 23, 2022, this Court further extended these deadlines (Doc. # 4551) pursuant to a second stipulation between the Washington State Subdivision Plaintiffs and the Settling Distributors, a stipulation J&J also did not oppose; and

WHEREAS, the Washington State Subdivision Plaintiffs (other than the City of Seattle, whose case has been remanded since the last stipulation) and J&J desire to extend the stipulation

further in light of (i) the settlement between the Settling Distributors and the State of Washington, which the Washington State Subdivision Plaintiffs joined by the September 30, 2022 deadline, and (ii) ongoing settlement discussions to resolve the undersigned claims and the State of Washington's claims against J&J;

NOW THEREFORE, J&J and the Washington State Subdivision Plaintiffs identified below hereby stipulate, subject to Court approval, that the requirements of the CMO, including those set forth in Sections I-III of the CMO, be stayed for the Washington State Subdivisions identified below for 90 days after October 24, 2022 to Monday, January 23, 2023. The Parties specifically propose that new deadlines for the Washington State Subdivision Plaintiffs pursuant to the CMO are as follows: Plaintiff Fact Sheets are due by Monday, January 22, 2023, (ii) summary expert reports are due February 22, 2023, and (iii) verifying affidavits are due March 24, 2023.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2022.

/s/ Charles C. Lifland  
Charles C. Lifland  
O'MELVENY & MYERS LLP  
400 South Hope Street, 18th Floor  
Los Angeles, CA 90071  
(213) 430-6665  
clifland@omm.com

*Counsel for Defendant  
Johnson & Johnson*

/s/ Lynn Sarko  
Lynn Sarko  
Derek Loeser  
David J. Ko  
KELLER ROHRBACK L.L.P.  
1201 Third Avenue, Suite 3200  
Seattle, WA 98101  
(206) 623-1900  
lsarko@kellerrorhback.com  
dloeser@kellerrohrback.com  
dko@kellerrohrback.com

*Counsel for City of Tacoma, King County,  
Skagit County, City of Mount Vernon, City of  
Burlington, City of Sedro-Woolley, Pierce  
County, Thurston County, Clark County, City  
of Kent, Clallam County, Spokane County,*

*Whatcom County, Franklin County, Kitsap County, Island County, City of Olympia, Walla Walla County, Kittitas County, Jefferson County, Whitman County, Chelan County, San Juan County, City of Anacortes, City of Lakewood, City of Vancouver, Lincoln County, City of Bainbridge Island, City of Spokane, and City of Kirkland*

/s/ Chris Huck

Christopher M. Huck  
GOLDFARB & HUCK  
ROTH RIOJAS, PLLC  
925 Fourth Avenue, Suite 3950  
Seattle, WA 98104  
(206) 452-0260  
huck@goldfarb-huck.com

*Counsel for Snohomish County  
and City of Everett*

/s/ Hunter Shkolnik

Hunter Shkolnik  
NAPOLI SHKOLNIK  
NS PR Law Services  
302 Avenida Ponce de Leon  
Santurce, Puerto Rico 00907  
(347) 379-1688  
hunter@napolilaw.com

Shayna Sacks  
360 Lexington Ave., 11th Floor  
New York, NY 10017  
(212) 397-1000  
ssacks@napolilaw.com

*Counsel for Lewis County*

SO ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Honorable Dan A. Polster  
United States District Judge